

FISCAL NOTE
SB 3436

March 30, 2006

SUMMARY OF BILL: Permits a person who is injured by a governmental entity to recover all medical costs, including specialty care, caused by the injury in excess of the statutory liability limits for the entity under the Governmental Tort Liability Act (GTLA).

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures – Exceeds \$1,000,000*

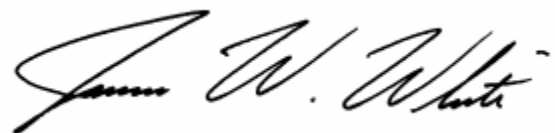
Assumptions:

- The State does not fall within the jurisdiction of GTLA.
- No impact on the State's Risk Management Fund.
- Persons could recover unlimited reasonable past, present, and future medical expenses related to bodily injury caused by the act of a governmental entity.
- Increase in insurance premiums and deductibles for local governments that would be subject to the provisions of this bill since it allows payment of medical costs in excess of statutory liability limits.
- Removal of the GTLA liability limits for medical costs may increase the length of time required to litigate a case.
- Any increase in caseloads for the state trial courts and appellate courts can be absorbed within existing judicial resources.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director